

# House File 470 - Introduced

HOUSE FILE 470

BY MASCHER

## A BILL FOR

1 An Act relating to the use of safety helmets by motorcycle and  
2 motorized bicycle operators and passengers, and making a  
3 penalty applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.275, subsection 2, Code 2013, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *c. Helmets.*

4 (1) The operator and any passenger shall each wear a safety  
5 helmet when riding on a motorcycle or motorized bicycle on a  
6 highway. A person shall not operate a motorcycle or motorized  
7 bicycle on a highway if the operator or any passenger is  
8 not wearing a safety helmet. A person shall not ride as a  
9 passenger on a motorcycle being operated on a highway if the  
10 operator or the person who is a passenger is not wearing a  
11 safety helmet.

12 (2) For purposes of this paragraph "*c*", "*wear a safety*  
13 *helmet*" or "*wearing a safety helmet*" means having an approved  
14 safety helmet on the person's head that is fastened with the  
15 helmet straps and that is of a size that fits the person's  
16 head securely without excessive lateral or vertical movement.  
17 "*Approved safety helmet*" means a safety helmet that complies  
18 with the standards and specifications established in 49 C.F.R.  
19 § 571.218. The department shall adopt rules establishing  
20 guidelines for approved safety helmets and shall maintain and  
21 publish a list of approved safety helmets, which list need not  
22 be inclusive.

23 EXPLANATION

24 This bill requires the operator and passenger on a  
25 motorcycle or motorized bicycle to each wear a safety helmet  
26 when the vehicle is operated on a highway. The bill further  
27 prohibits a person from operating a motorcycle or motorized  
28 bicycle on a highway if the operator or any passenger is not  
29 wearing a safety helmet, and the bill prohibits a person from  
30 being a passenger if the operator is not wearing a safety  
31 helmet.

32 The safety helmet must be in compliance with federal  
33 standards and must fit the person's head securely and be  
34 fastened with helmet straps. The bill directs the department  
35 of transportation to establish guidelines for motorcycle safety

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1 helmets and to maintain and publish a list of approved helmets.  
2 Pursuant to current law, a violation of motorcycle or  
3 motorized bicycle provisions is a simple misdemeanor punishable  
4 by a scheduled fine of \$35.